

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 NEA-14 ISO-00 AID-20 IGA-02 EB-11 MC-02

TRSE-00 OMB-01 IO-14 SAM-01 CIAE-00 PM-07 H-03 INR-10

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 DRC-01 /166 W

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FM AMEMBASSY CAIRO

TO SECSTATE WASHDC 6679

INFO AMEMBASSY LONDON

SECDEF

JCS

CINCUSNAVEUR

USCINCEUR

COMSIXTHFLT

C O N F I D E N T I A L CAIRO 3190

E.O. 11652: GDS

TAGS: PFOR MARR EAID EG UK

SUBJ: SUEZ CANAL CLEARANCE AND SALVAGE AGREEMENT

REF: STATE 95789 CAIRO 3099

1. MET WITH MFA LEGAL ADVISOR AMBASSADOR ABDUL HAMID THIS MORNING TO EXPLORE WITH HIM A POSSIBLE REVISION OF FAHMY'S APRIL 25 NOTE ALONG LINES SUGGESTED STATE REFTTEL AND THE PROPOSED AGREEMENT FOR THE SALVAGE OPERATION. ABDUL HAMID EXPRESSED APPRECIATION FOR OUR WILLINGNESS TO EXPLORE MATTERS INFORMALLY BEFORE SUBMITTING NOTES. HE FULLY UNDERSTANDS DEPARTMENT/DOD CONCERN AND AFFIRMED THAT IN DRAFTING EARLIER NOTE, HE SOUGHT TO MEET THESE IN EVERY WAY POSSIBLE CONSISTENT WITH EGYPTIAN POLITICAL SENSITIVITIES. SINCE WHATEVER UNDERTAKING IS CONCLUDED WITH US SETS A
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PRECEDENT FOR OTHER SIMILAR SOFA AGREEMENTS,

ESPECIALLY FOR UN WHICH IS STILL WITHOUT A CURRENT SOFA AND WHICH HAS BEEN CAREFULLY SCRUTINIZING OUR EXCHANGES, ABDUL HAMID SAID THERE IS A LIMIT TO HOW FAR HE CAN GO TO ACCOMMODATE US.

2. HE EXPRESSED SURPRISE AT SOME OF ADDITONS PROPOSED BY DEPARTMENT/DOD, NOTING THAT IN HIS VIEW THEY WEAKEN ORIGINL AGREEMENT AND PLACE US IN MORE DISADVANTAGEOUS POSITION LOCALLY. HE PROMISED, HOWEVER, TO STUDY OUR PROPOSED CHANGES AND TO LET ME KNOW HIS REACTION SOMETIME IN THE NEXT FEW DAYS. HE WILL ALSO LOOK AT THE DRAFT SALVAGE AGREEMENT NOTE AND PROVIDE US WITH HIS REACTIONS.

3. FOR FIRST TIME TODAY ABDUL HAMID NOTED THAT EGYPTIANS DO NOT WANT TO USE THE TERM "AGREEMENT" BECAUSE DOING SO WILL REQUIRE THE EXCHANGE TO BE SUBMITTED TO THE PEOPLE'S ASSEMBLY. THIS, HE FELT STRONGLY, IS UNDESIRABLE. USE OF WORD "AGREEMENTS" IN SECOND PARAGRAPH OF EGYPTIAN NOTE, HE EXPLAINED, WAS INADVERTENT OVERSIGHT CAUSED BY HASTE IN WHICH EGYPTIANS WERE TRYING TO ACCOMMODATE US IN EXPEDITING EXCHANGE. THAT TERM WILL HAVE TO COME OUT. IN ITS PLACE, ABDUL HAMID IS CONSIDERING THE USE OF EITHER "UNDERSTANDING" OR "ARRANGEMENT". THIS WOULD ALSO BE THE PRHASEOLOGY OF A NEW PENULTIMATE PARAGRAPH INDICATING THE CONTRACTUAL NATURE OF THE EXCHANGE. IN THE CASE OF THE BRITISH SOFUA, THE TERM "ARRANGEMENT" HAS BEEN USED ISTEAD OF A "AGREEMENT". ABDUL HAILED WAS SHARPLY CRITICAL OF BRITISH HANDLING OF SOFA MATTER.

4. WILL ADVISE AS SOON AS ABDUL HAMID'S REACTIONS ARE RECEIVED.
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